

REMARKS/ARGUMENTS

The applicant thanks the examiner for a telephone interview on January 30, 2004 and has made the claim amendments discussed in that interview. As a result of the claim amendments, neither Miller (U.S. Patent No. 5,479,339) nor Peek (U.S. Patent No. 6,343,255) disclose, teach, or suggest all of the claim limitations, particularly a government agency that exchanges information with an irrigation controller over a communication system.

In the Office Action of 12/09/03, the examiner admitted that "Miller fails to teach ...a communications system that exchanges information between the distal computer and a legal person other than the user". The applicant takes this to mean that Miller also lacks communication to a government agency since a government agency is a third person other than the user.

With regard to Peek, the examiner stated that the legal person other than the user is telephone exchange of figure 4. The applicant does not agree with this assessment. Even if the telephone exchange could be equated to the legal person, Peek definitely does not disclose, teach, or suggest a government agency.

The applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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